

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER
AUTHORITY (PREPA),

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

ELEVENTH REVISED ORDER EXTENDING AND ESTABLISHING CERTAIN DEADLINES
APPLICABLE TO THE JOINT MOTION OF PUERTO RICO ELECTRIC POWER AUTHORITY
AND AAFAF PURSUANT TO BANKRUPTCY CODE SECTIONS 362, 502, 922, AND 928,
AND BANKRUPTCY RULES 3012(A)(1) AND 9019 FOR ORDER APPROVING
SETTLEMENTS EMBODIED IN THE RESTRUCTURING SUPPORT AGREEMENT [ECF No. 1235]

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Urgent Motion of Government Parties for (1) Bridge Order Pending Determination of Their Motion for a Revised Scheduling Order; and (2) Eleventh Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (Docket Entry No. 1897 in Case No. 17-4780, the “Urgent Motion”); and the Court having received and reviewed the responses filed with respect to the Urgent Motion; and the Court having found and determined that (i) the Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a), (ii) venue of this proceeding is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a), and (iii) the Moving Parties² have demonstrated good cause to approve the modifications to the schedule requested therein (with certain changes set forth herein) in light of the Moving Parties’ ongoing efforts to garner support for the legislation contemplated by the RSA and the lack of objection to the Urgent Motion by the parties that have filed objections to the 9019 Motion; it is HEREBY ORDERED THAT:

1. The following deadlines shall apply³ to any person or entity (i) that seeks discovery, (ii) from whom discovery is sought (whether by notice or subpoena), (iii) that objects to the 9019 Motion or to any discovery with respect thereto, or (iv) is a signatory to the RSA:

April 14, 2020	Deadline for Moving Parties to file reply briefs and Supporters to file supporting statements.
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² Capitalized terms not defined herein shall have the same meaning as set forth in the original scheduling order related to the 9019 Motion (“Original Scheduling Order”) [ECF No. 1253].

³ All parties in interest reserve all rights to seek relief from this schedule from the Court and to oppose any applications seeking such relief.

May 1, 2020	Deadline for Moving Parties, Objectors and Supporters to identify supplemental trial exhibit lists. ⁴
May 20, 2020	Deadline for filing motions in limine. Parties may seek relief from this deadline upon a showing of cause and that such application shall not result in any delay of the 9019 Hearing Date. The Court retains discretion as to whether to (1) entertain later-filed motions in limine; and (2) set alternative briefing schedules for earlier-filed motions in limine.
May 22, 2020	Deadline for objections to supplemental trial exhibit lists.
May 26, 2020	Deadline for Objectors to file sur-replies per ECF 1826.
May 27, 2020	Deadline for responses to timely motions in limine.
June 3, 2020	Deadline for replies in support of timely motions in limine. Any hearing on such motions to be set at the Court's discretion.
June 5, 2020	Deadline for parties to file a joint status report as to any remaining objections to declarations, deposition designations, witnesses, and exhibits.
June 9, 2020	Deadline for filing compilations of listed declarations and exhibits.
June 10, 2020	Deadline to deliver hard copy compilations of declarations and exhibits to the District of Puerto Rico courthouse for Judge Swain and USB drive or DVD containing properly marked and identified exhibits and an exhibit list for the Clerk's Office. ⁵
June 17-18, 2020	Hearing on the 9019 Motion at 9:30 a.m. (Atlantic Standard Time) (the "9019 Hearing Date") in San Juan, with video connection to New York.

⁴ Supplemental exhibits identified shall be limited to those (i) that were created or otherwise first became available to the introducing party on or after the December 6, 2019 deadline to identify trial exhibits (the "December 6 Deadline"); or (ii) that have become material to the 9019 Hearing only as a result of new developments arising after the December 6 Deadline.

⁵ [https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury Evidence Recording System PROMESA_VS_MJB_MO.pdf](https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury%20Evidence%20Recording%20System%20PROMESA_VS_MJB_MO.pdf)

2. This order supersedes the *Tenth Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (ECF No. 1886).

3. Aside from as set forth above, prior deadlines and stipulations set forth in the *Fourth Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (Docket Entry No. 1639 in Case No. 17-4780, the “Fourth Revised Order”), as amended by subsequent scheduling orders modifying and/or extending deadlines applicable to the 9019 Motion (ECF Nos. 1684, 1716, 1834, 1858), shall govern.

4. This Order and prior scheduling orders with respect to the 9019 Motion are without prejudice to parties’ rights and obligations under Rule 26(e) of the Federal Rules of Civil Procedure, made applicable to this contested matter pursuant to Rules 7026 and 9014(c) of the Federal Rules of Bankruptcy Procedure.

5. This Order resolves Docket Entry No. 1897 in Case No. 17-4780.

SO ORDERED.

Dated: February 18, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge